

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

RAY LEE VAUGHN,  
Petitioner,  
vs.  
D. ADAMS,  
Respondent.

CASE NO. CV-F-01-5241 OWW DLB HC

ORDER VACATING HEARING ON \_\_\_\_\_  
PETITIONER'S MOTION FOR  
IMMEDIATE RELEASE AND TAKING  
MATTER UNDER SUBMISSION

[Doc. 56]

Petitioner is a state prisoner proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner is represented by Carolyn Wiggin, Esq.

On April 24, 2006, Petitioner filed a motion for immediate release pending review of the instant petition, and set the motion for oral argument on August 11, 2006 at 9:00 a.m. The petition is currently fully briefed by the parties. (Court Docs. 65, 67.)

The Court finds oral argument unnecessary to resolve Petitioner's motion; therefore, the hearing scheduled for August 11, 2006, is VACATED, and the Court will issue a written ruling on the motion and a recommendation on the merits of the petition for writ of habeas corpus in due diligence.

IT IS SO ORDERED.

**Dated:** August 9, 2006

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE